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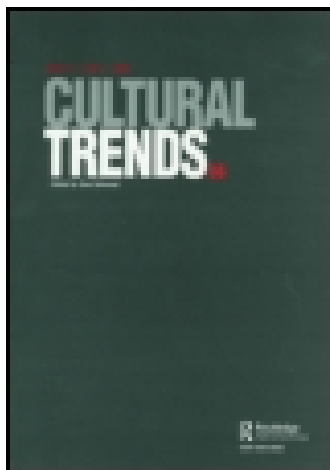


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## The place of popular music in Scotland's cultural policy

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In the last two decades the status of popular music as both a cultural activity and creative industry has changed significantly in Scottish and UK cultural policy. The change is in line with a broader shift away from thinking of the arts as cultural activity in need of subsidy and towards treating them as part of the creative economy. The current cultural policy landscape pertaining to popular music is mapped out, drawing on interviews and an online survey with members of the Scottish Music Industry Association (SMIA) and complementary interviews with stakeholders from relevant government and arms-length funding and development bodies. The Scottish Government's (SG) White Paper on independence highlighted the creative industries as one of five growth sectors key to the Scottish economy, but for popular music – and in line with the global music industry – many working in the Scottish music industry face acute challenges. Given EU regulations (and the Scottish Government's preference to remain in the EU) and international agreements in areas like broadcasting and copyright, if they are to flourish many members of the SMIA will likely need to strengthen their relationships with the wider UK and global music industry, regardless of the outcome of the referendum on independence.

**Keywords:** cultural policy; popular music; music industry; music industries; Creative Scotland; Scottish cultural policy

### Introduction

This article builds on research undertaken on a 2013 AHRC Cultural Engagement project in partnership with the Scottish Music Industry Association (SMIA) to examine state support for music businesses in Scotland. Due to the SMIA's membership being largely made up of small-to-medium enterprises (SMEs) operating in the commercial (popular) music field, our aim is to develop an overview of the funding landscape for popular music artists and businesses. These two categories are not mutually exclusive – indeed, there is significant overlap and concomitant confusion regarding support provision for them. This has consequences for content creators, businesses who exploit that content, and policymakers whose aim is to encourage both cultural provision and business growth.

With the role of the state in Scotland and the notion of what constitutes “Scottish” culture becoming salient in light of the independence referendum, we consider how popular music was initially ignored by the state and then gradually valued first as an economic sector and then as a cultural activity – both globally and within Scotland. We then assess the complications

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regarding popular music in the context of cultural and industrial policy, especially in light of Scotland's distinct identity as both a "region" and a "nation". We examine the case of the SMIA, its role as the key Scottish trade association for the popular music sector, and its launch of the Scottish Album of the Year (SAY) award. Finally, we discuss the key questions facing the Scottish popular music industry, particularly regarding the question of independence and its implications for popular music practice and policy in Scotland.

### **Scottish popular music: from cultural activity to creative sector**

Attempts to define "popular music" musicologically or according to genre are fraught with problems; any genre-based categorisation (e.g. pop, rock, electronic dance music) ignores the permeability and hybridity between genres, not to mention that genres traditionally excluded from being categorised as popular music (e.g. classical) can also be understood as forms of popular music from a sociological perspective (Parakilas, 1984). Therefore, our definition of popular music for the purposes of this paper follows (Shuker 2001, p. 9) and is socio-economic rather than musicological; popular music is music aimed at a mass market and shaped by market forces – in other words, it is commercial music. From this viewpoint, even in cases where music is a commercial failure or directed at niche markets, it can still be categorised as popular music when the logic of its production and consumption is presumed to be driven primarily by market forces rather than public subsidy.

There have been previous mapping exercises of the Scottish commercial music sector in particular (Williamson, Cloonan, & Frith, 2003; Behr & Brennan, 2013, pp. 4–12), and in recent years Scottish music businesses have made a concerted attempt to self-organise as a coherent sector with a unified voice in the form of the SMIA, a trade association whose membership largely comprises sole trader and SME musicians and music-related companies. Formed in 2008 to assess and foster the interests of Scottish music businesses, the SMIA was initially funded by Creative Scotland (CS) but with a business plan to shift its income towards member fees. It comprises a range of music-related businesses focused primarily on popular music, but its initial funding source highlights one of the key challenges for the sector: the Scottish popular music sector as embodied by the SMIA represents itself as a commercial sector, but one which requires state investment to actualise its identity as self-sustaining industry.

As of 2013, the SMIA had 82 members, the overwhelming majority of which pay "individual" to "small business" membership fees, ranging from record labels, recording studios, artist management, tour support, digital media production, rights management, publishing, and venues; many, but not all, are broadly focused on rock/pop/dance genres, although very few would not consider working across genres and invite overlap and collaboration between commercial and subsidised music. Importantly, none of the key live music promoters (e.g. DF, Regular) are members, despite being the most commercially significant music companies in Scotland. This is perhaps because they are big enough to look after themselves in terms of government lobbying: certainly DF, now owned by promotion companies Live Nation, Gaiety, and SJM (all based outside Scotland), is an established part of the international industry and has long been able to act independently. As we shall see, the establishment of a distinct identity and boundaries as a sector are key challenges facing those working in Scottish popular music.

The position of popular music as a simultaneously cultural *and* commercial activity, the reconceptualisation of the "cultural industries" as "creative industries", and the tension between investing in artist development versus business incubation within the sector, are all well acknowledged issues in the field (e.g. Hesmondhalgh & Pratt, 2005; Cloonan, 2007a). Frith and Cloonan note a global shift around the turn of the millennium "from cultural policy to cultural industries policy, from treating popular music as a matter of social or cultural concern to treating the popular

music industry as a matter of economic concern” (2008, p. 189). Changes to Scottish cultural policy have followed this trend: in 1999, the Scottish Arts Council (SAC) commissioned a report to “consider its potential role in contemporary popular music” and soon decided that pop was to be “integrated into the SAC’s general work and funding schemes” (Cloonan, 2007b, p. 23). This coincided with the broader shift from cultural policy to cultural industries policy noted above, illustrated in part by the 2010 merger of Scottish Screen and the SAC into CS. Indeed, the changing of its language and funding categories produced a significant backlash from members of the arts community in Scotland (Stevenson, 2013a, pp. 82–83).

More recently Fiona Hyslop MSP, Cabinet Secretary for Culture and External Affairs, was praised for her speech in June 2013 which championed culture as an “intrinsic and public good”, presenting a deliberate contrast to Maria Miller MP, then Secretary for Culture, Media and Sport, who earlier that year argued that “our focus must be on culture’s economic impact” amidst arts funding cuts (BBC, 2013). However, as Stevenson notes, Hyslop’s speech ignores that “even in the best of times, there were not the economic resources to support every type of cultural activity and organisation ... all culture is valued but some [forms] are valued more than others” (2013b). Where is popular music’s place in the policy hierarchy, and is it truly being measured for its intrinsic value, as opposed to a narrower notion of social, cultural, or economic value?

“Pop” appears on the policy radar in Scotland, but its ambiguous status as cultural activity and commercialised aspect of a competitive international market means that responses to it, if not actually *ad hoc*, are rather diffuse. It is to these responses that we turn next. The following two sections map the Scottish cultural policy landscape pertaining to popular music informed by two data sets: (1) in-depth interviews with over a dozen key stakeholders from the Creative Industries Team in Scottish Government (SG), the SMIA, government agencies including CS and Scottish Development International (SDI), as well as a range of music industry professionals (for full list, see Behr & Brennan, 2013, Appendix A); and (2) an online survey of SMIA members about their perceptions of existing state support for popular music in Scotland.

### Scottish popular music as a creative industry

Frith (1996) has demonstrated how popular music is bound up with a commercial discourse, which has contrasting conventions to those of “folk” and “art”. What this means aesthetically and ideologically is subject to ongoing debate; logistically it means that – historically anyway – the state institutions dealing with it in Scotland have tended to be those whose primary focus is economic activity rather than “identity”, “art” or “tradition”.

This puts popular music businesses within the purview of agencies like Scottish Enterprise (SE) and, popular music being a transnational industry, its export arm, SDI, whose core aim is to grow Scottish businesses abroad (or bring inward investment), also a key “National Indicator” in the Scottish Government’s Performance Framework (SG, 2013a). But popular music indubitably *is* also a cultural activity, and recognised as such, music at large forming an important part of everyday life in Scotland (EKOS, p. 14). “Pop” therefore also falls within Creative Scotland’s remit. Funding applications, such as for showcasing activities, are made to CS which, for instance, has had primary responsibility for distributing support to artists for attending industry showcase South by Southwest (SXSW). CS is also active in funding recording projects, which is significant since, despite UK consumer spend on the live sector overtaking recordings in 2008 (Page & Carey, 2009, p. 1), recordings remain a defining aspect of popular music consumption and activity, with popular music oriented record companies predominant amongst the Scottish total, albeit that they are all SMEs (EKOS, p. 49).

Likewise, popular music is highly regarded as a means of projecting Scotland’s national identity. Also listed in the National Performance Framework is the objective of “Improving Scotland’s

Reputation”. Both CS and SDI are listed as partners in this, with CS actively using music as a driver, through its direct funding of artists and broader strategic involvement with international showcases, notably Celtic Connections.

In theory, then, Scottish popular music should be well resourced and established within policy considerations. The reality is less encouraging. Despite some recognition by state agencies, and politicians’ willingness to engage – as evidenced by Hyslop’s presence at the SAY Awards – it finds itself in an awkward situation whereby apparently reasonable levels of provision do not translate into a properly joined-up approach in their application. This plays out in two ways. Firstly, despite the presence of Scottish artists in the international pop pantheon, its recording sector is still characterised by SMEs, with the major labels’ UK operations all based in London. Even the most successful of these independent concerns tend not to operate at a level that attracts the attention of SE and SDI, whose activities generally focus on larger sectors, like food and energy, with much higher turnovers and which are able to show levels of growth difficult to establish in the unpredictable field of popular music. This is not to suggest that they are inimical to it, and indeed SE is an important presence on the public sector Scottish Creative Industries Partnership. Rather, their overarching priorities are with established economic growth (EKOS, p. 17). As SDI’s Elaine Hovey told us, they now have a person advising on computer games but find it harder to direct equivalent resources towards music. The SMIA’s Tam Coyle was sanguine in his assessment: “when you’ve got the whisky industry, or nuclear or solar energy or wind generation ... That’s got to be their priority. Scottish music is a small potato to these guys” (quoted in Behr & Brennan, 2013, p. 25).<sup>1</sup>

In addition to being a small business sector in the context of wider industrial policy, Scotland’s music industry, particularly recording and publishing, is part of a more economically significant industry based in London from which emanate the links to international major labels. This larger UK music industry is more explicitly integrated into economic policy, but its support derives from Westminster based quangos and its lobbying activities are organised at nationwide level by UK Music, again centred in London. Music is, for example, one of the pillars of UK Trade and Investment’s (UKTI) GREAT campaign, championing British innovation and culture to drive export and investment. Whilst Scottish contributions are not excluded here – SDI has links with UKTI – the impetus for music is at UK level. Where music businesses in Scotland have attracted development support the emphasis has often been on content exploitation and the technological realm, not artist development or content production. In any case, even artist development focuses primarily on the artist’s status as a business; as Phil Patterson (Music Sector Specialist, UKTI) puts it, “we have to be seen to be supporting the businesses that are around the band and the music. If a band is a business, a VAT registered business, then that’s cool but if it’s not, then what we’d be supporting would be the management company, the label [etc.]”.

From a Scottish perspective, Stewart Henderson, current chair of the SMIA, identified the need for a joined up approach to support music content and artist development in tandem with music business development – especially one that takes into account the overlap that can occur between those categories at the SME level – as a key issue for the Scottish sector. Furthermore, the Scottish sector has been characterised for decades by the activities of SMEs and sole traders who lack the surrounding infrastructure to compete as a distinctively Scottish sector in the transnational market and service Scottish acts that have broken through into that sphere. These are longstanding concerns, not least the retention of copyright revenue: Diane Campion (Senior Policy Official, SG) spoke of the potential for Scotland to be seen as a “nursery” which cannot maintain “stars” beyond a certain point due to lack of infrastructure compared to London, while Ally Gray (MD of digital distributor EmuBands) mentioned a “brain drain” from Glasgow to London.



Secondly, Scottish pop is institutionally ill-fitting insofar as it is commercially viable at all, and fares poorly compared to other Scottish-based arts which are unable to fend for themselves in an untamed marketplace. Direct government funding remains skewed towards the National Performing companies (e.g. Royal Scottish National Orchestra, Scottish Opera, Scottish Chamber Orchestra). Whilst CS does fund popular music projects, these are regarded alongside, and effectively competing against, the full range of cultural activity within its remit. In terms of “artist development” this benefits individual acts able to successfully negotiate the application process. But it still means that pop as a whole falls between two stools. CS has a cultural remit – notwithstanding the controversial shift in emphasis since it replaced the SAC – which does not cater for those businesses whose size also makes them peripheral to the priorities of the enterprise agencies. These same businesses, in policy terms, are also part of a larger agglomeration of concerns many of which are more explicitly Scottish, such as traditional or folk forms or, like the “high arts”, more straightforwardly “cultural” in that they are less active within the creative industries marketplace of which popular music is a part.

These dichotomies between culture and industry in the first instance, and a distinctive but small Scottish sector within a UK landscape in addition, are a longstanding feature of Scottish popular music, (EKOS, 2013; Williamson et al., 2003). Scotland’s shifting political status over the last 20 years and more recent upheavals within its internal agencies have limited the scope for a cohesive approach on the part of the Scottish music industry. However, increased scrutiny of public agencies’ policies since devolution (Cloonan, 2007a, p. 139) has led to increased lobbying, with devolution also fertilising the ground for a more distinctively Scottish approach to music industry organisation, albeit still subject to the complications discussed above.

### **Lobbying for pro-pop policy: the case of the Scottish Music Industry Association**

Given pop’s relatively low cultural status and its association with the creative industries, how do those working in popular music in Scotland effectively represent themselves to policymakers? As mentioned earlier, the SMIA remains the most successful attempt thus far to create a unified front as a Scottish industry in order to gain leverage when dealing with government to lobby for policy. According to its website (2013), the SMIA “exists to champion and strengthen Scotland’s music industry, promoting its vibrancy and influence at home and overseas”. It achieves this locally through a portfolio of networking and training activities and promotes Scottish music businesses internationally via trade missions, coordinating with government and arms-length funding bodies including CS, SDI, and SE to provide support to music businesses. However, when we conducted a survey of the SMIA’s membership<sup>2</sup> in 2013 to gauge awareness and experience of accessing development support, several key findings emerged. First, of those surveyed, only 32% had ever tried to access development support for their business (Behr & Brennan, 2013, p. 40). Second, of those who did try to access support, CS was the destination for the overwhelming majority, as opposed to other bodies such as SDI and UKTI. This issue was also noticed by SDI Senior Manager Elaine Hovey, who noted “we don’t have a total of one person working on music, it would be like .2 of a person or .1 of a person. And that’s really because we don’t actually get many requests”. Finally, 75% of those surveyed agreed or strongly agreed that they would be interested to know more about the available development support options including majorities of both those who said that they were aware of what support was available and of those who were unsure about how to go about applying for it (Behr & Brennan, 2013, p. 14).

Since 2012, the most high-profile activity of the SMIA has been the SAY Award. According to SMIA chairman Stewart Henderson, the award is a way to bring together the full range of stakeholders in the Scottish music industry – not only SMIA members but also the live sector (major promoters act as nominators for the award), venues, journalists and policymakers. It is open to all



genres of music, but like the UK's Mercury Music Prize, both the 2012 and 2013 SAY shortlists were dominated by content falling most clearly into the "popular music" category. The award performs several functions: first, by ostensibly encompassing all genres but promoting the album as a primary mode of musical expression, it positions popular music in an arena where it is represented as a significant *art form* alongside other state-funded music. Second, it focuses on what was once the core retail *commodity* of the music industry: the album. The album, of course, has lost much of its economic importance as musical consumption moves towards digital streaming models, and the SAY Award, with links to record shops built into its phone app and website, is an attempt to both preserve a declining revenue stream and make the case that albums are still worth buying. Finally, it promotes a vision of a *Scottish musical identity*, held together by the geographic "creative base" of the people who produce the music rather than having any identifiable sound – indeed, it claims to celebrate "the diversity of Scotland's musical output" – a vision which corresponds with the Scottish National Party's agenda to represent Scotland as distinct from the rest of the UK (SAY, 2013).

Based on our survey responses and interviews with the aforementioned stakeholders, there are three key challenges facing the Scottish popular music sector. The first is how to address the distinct needs of the Scottish (as opposed to British) music industry. As noted by representatives from both SG (Diane Campion) and SME music businesses (Ally Gray), the Scottish sector struggles to keep revenues and talent within Scotland once a business grows past the SME level – indeed, SME's make up the core membership of the SMIA, in stark contrast to London-based industry body UK Music (again, the exception to this is the live music industry, although even here Scotland's biggest concert promoter, DF Concerts, is majority-owned by Irish, US, and English companies). Second, as UKTI's Phil Patterson and SMIA's Stewart Henderson have noted, one of the barriers in accessing development support is distinguishing between artist and business support at the SME level. Finally, as evidenced in the SMIA survey responses, there is a need for greater communication between different support bodies, and then the translation of a joined up approach to eligible applicants for development support.

Through its activities, the SMIA positions itself as a hub where artists, businesses, and the overlaps between these two groups come together. It also acts as a liaison and adviser to the agencies and bodies which support music culture and business. The challenge for the SMIA is to identify the support available for its members, facilitate access, and improve provision in the future. Popular music, as both culture and commerce, is clearly of interest to the Scottish Government, and the sector also wants to engage with government to develop the industry. What, therefore, should the objectives of the industry be in the context of the referendum on independence, and what does the White Paper's representation of an independent Scotland suggest about potential reforms to cultural policy regarding popular music?

### Ways forward for cultural policy and popular music in Scotland

The way popular music is conceived of in government makes it more likely to be grouped in with the creative industries than with culture, and these self-same creative industries are highlighted in the White Paper as one of five "growth sectors" that are key to Scotland's vision of its economy, but without specific policies relating to music (SG, 2013b, p. 5, p. 382). However, the popular music industry as represented by the SMIA (discounting the live sector) appears not to be growing at a rate to attract priority attention from industrial agencies. Rather, it is in a constant state of struggle. A key question here is how far this cultural, business and policy landscape might be affected by the result – in either direction – of the referendum. The current situation certainly makes it difficult to plan substantively. As the EKOS Review notes, "the lack of a national music policy means that there is no clear framework for action, and no policy context

against which the impacts on the music sector of other policy measures can be assessed” (2013, p. 126).

An independent Scotland could, of course, work towards addressing this, although it bears mention that there has been the potential to do so in the past, especially after devolution (Cloonan, 2007a, p. 139). A break with the UK would clearly afford greater political clout here, but despite a promising tone, the White Paper offers little by way of specific policy footholds, and certainly scant mention of popular music with even music overall wrapped into wider assurances regarding cultural identity and policy (SG, 2013b, pp. 314–316). Since many of the key challenges facing Scotland’s music industry – particularly regarding the supply chain – are international in nature it is perhaps unrealistic to expect a specific set of proposals. Nevertheless, its omission from the White Paper suggests that those specifically Scottish challenges are unlikely to be addressed directly in the short term.

At the same time many of those aspects of policymaking which have the greatest longer-term impact on music are not always those that refer directly to it (Frith, 2013). To this end, there are possibilities that could make the creative industries, and their lobby groups, prick up their ears. We will briefly consider five of these areas: taxation, broadcasting, industry classification codes, copyright, and licensing.

The 2011 VAT hike was cited by one Scottish business leader as a key concern for his concert promotion company, and the White Paper suggests that it would consider VAT reduction for parts of the creative sector (p. 315). If this could be extended to other areas of cultural activity the benefits would be obvious although here, again, the issue of “high culture”, “popular culture” and the market comes into play. Tax breaks in one sector would elicit consternation elsewhere, and bring up the argument, regarding support provision across the board, of opportunity cost.

Broadcasting is another area where a break from Westminster could provide policy scope to benefit commercial, traditional and art music alike. In particular, the section of the White Paper on broadcasting proposes “an increase in productions that reflect life in Scotland and of Scots” (p. 317). One might look to Canada, for instance, which requires a 35% Canadian music content quota on commercial radio to support domestic talent (Henderson, 2008). Unfortunately for Scottish musicians, EU regulations prohibit a similar policy from being instituted in Scotland (EP, 2011). France has a content quota, but for French language lyrics (allowable as “preservation and promotion of an official language” under EU rules). In Ireland, the Broadcasting Act 2009 attempts to overcome these restrictions by judging new broadcasting license applications in part by “the extent to which the applicant will create ... new opportunities for talent in music ... in particular in respect of Irish culture” (2009, pp. 73–74). An independent Scotland could theoretically institute similar reforms to encourage domestic talent although this would be complicated by a couple of key factors, beyond the aforementioned EU regulations. Firstly, particularly regarding popular music, the delineation of native content is muddled by the transnational nature of the music industries in terms of both production and distribution. Secondly, the shape of both Scotland’s relationship to the EU and to the BBC would affect the saliency of attempts to shape broadcast content. The most likely effect of interventions here would be a broader promotion of “Scottish culture” than a specific boost to clearly defined areas of the industry.

Scottish music businesses also tend to remain invisible in official statistics due to a lack of appropriate Standard Industrial Classification (SIC) codes used by the government; this is a UK-wide problem acknowledged by UK Music (Todd, 2013), and one in which the SMIA could highlight the needs of its members at both Scottish and UK levels, with the potential to drive the matter forward on the Scottish policy agenda. These taxonomies were originally “developed to monitor a manufacturing economy and ignore much of what are now regarded as the cultural industries” (Hesmondhalgh & Pratt, 2005, p. 6). It will be difficult for the SMIA, and the sector more widely, to address this head on since the SIC code system is embedded into wider

systems up to the UN's industrial classifications. Aggregate industry voices will be crucial in the long-run to effect change here. To this extent, it becomes a matter of necessity for the SMIA to engage in international conversations at industry and policy levels. Neither the SMIA nor Scotland is in a position to address the inaccuracy of the classifications in isolation so the interests of Scottish practitioners can, in this area, *only* be served by representation in wider conversations.

Copyright law reform is a contentious issue and one which could significantly affect the popular music sector in Scotland. As with broadcasting, there is scope for reforming copyright law to take into account the specific needs of Scottish-based popular music businesses as distinct from the interests of the multi-national corporations which form the international recording industry. However, similarly to broadcasting, Scotland would have limited power to reform copyright legislation if it were to remain part of the EU, not to mention larger global agreements such as the General Agreement on Tariffs and Trade (GATT). And whatever the result of the referendum, Scottish pop would still be subject to the intellectual property conventions that are a central plank of the music value chain. Further devolved powers in the future, or even full independence, would not alter the structure of the transnational field in which Scotland's music businesses operate.

Finally, regarding live music, Westminster recently passed the Live Music Act 2012, which eliminates the requirement of an entertainment license for venues under 200 capacity to host live music in England and Wales. This law does not apply to Scotland, but licensing regulations could be revisited in order to develop policy which encourages the health of the live music sector.

## Conclusion

However the independence question is resolved, the Scottish popular music sector will still face significant challenges. Indications from history and the White Paper proposal are that pop policies would remain disjointed without continued engagement by the SMIA or a similar lobbying force to make the case for both its cultural value and economic contribution. In this regard, seemingly secondary activities acquire strategic value. Firstly, the SAY award brings wider stakeholders into the fold – particularly the live sector. Secondly, such activities give Scotland a more coherent presence in UK and international conversations. These align with broader projections of Scotland's distinct identity, and “soft power”, with hoped for economic knock-on effects, regardless of levels of political autonomy. Furthermore, although Scotland may accrue greater legislative autonomy with or without independence, any reforms would be subject to restrictions from international and transnational levels of power. First, reform in the areas of broadcasting and copyright would be limited due to existing EU regulations and international trade agreements. Second, whilst the live sector is already plugged into international circuits, in part due to the very nature of large scale touring, the same cannot be said of recording and publishing, which still experience a revenue drain due to the weighting down south of both the international labels there – having already invested in their London presence – and associated industries (film, TV, etc.). Third, Scottish music businesses are unlikely in the short to medium term to develop in sufficient size for the Scottish government's business development bodies to devote significant resources to them. Some changes, outlined above, are possible, but while developments in the Scottish policy landscape may or may not provide the kind of support for SMEs that would foster their growth in Scotland, the overall centre of industrial activity is highly likely to remain located outside Scotland. This suggests that a sensible strategy for the SMIA would be to strengthen its ties with its UK equivalents, especially UK Music, to make its voice heard in Westminster, which will continue to affect Scottish popular music artists and businesses regardless of the outcome of the referendum.

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## Notes

1. All interviews quoted in this article, unless otherwise stated, are likewise found in Behr & Brennan, (2013).
2. Twenty-five out of 82 members responded to the survey, yielding a response rate of 30.48%.

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